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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,352

04/12/2006

Hoseong Choi

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SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER

MEYER, KATY E

ART UNIT

PAPER NUMBER

3618

MAIL DATE

DELIVERY MODE

03/16/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/595,352	<b>Applicant(s)</b> CHOI, HOSEONG	
	<b>Examiner</b> Katy Meyer	<b>Art Unit</b> 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/12/06</u>   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 3 and 4 objected to because of the following informalities: "advanced" should be replaced with - -advance- - in line 3 of each claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylenski et al. (US 5,865,446) alone.**

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Kobylenski et al. disclose a board comprising: front and rear plates (112, 114) for a user's feet, and a plurality of leaf springs (123) connecting said plates. While Kobylenski et al. do not disclose equidistant leaf springs, it would have been obvious to one of ordinary skill in the art to place the leaf springs to impart the desired performance characteristics.

Boot clamps (160, 162) are attached on the upper surfaces of the plates. The resilient member connecting the front and rear plates can be made of synthetic resin (column 4, lines 16 - 24).

**Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylenski et al. (US 5,865,446) in view of Gang (US 7,195,259).**

Kobylenski et al. meet all the limitations of the claimed invention, but do not disclose directional casters. Gang discloses a board with front and rear plates (10, 20), a resilient connecting member (40), and directional casters (13, 23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the board disclosed by Kobylenski et al. with the casters taught by Gang, as Kobylenski et al. suggest using the board as a skateboard (see column 7, lines 36 – 44).

**Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylenski et al. (US 5,865,446) in view of Reig (US 6,648,347).**

Kobylenski et al. meet all the limitations of the claimed invention, but do not disclose holes, connecting bars, brackets, and springs to secure the leaf springs to the front and rear plates. Reig discloses a board comprising front and rear plates joined by a connecting member (5). The connecting member is formed with holes at each end

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(see Figs. 1 and 4). The board further comprises: connecting bars (18) that intersect said connecting member; fixing brackets (6); and springs (see rubber bearing 21) secured between an end of the connecting member and a respective plate. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the board disclosed by Kobylenski et al. to attach the leaf spring to the front and rear plates in the manner taught by Reig to enable controlled movement between the leaf spring and the plates, which would desirably effect the performance characteristics of the board.

Kobylenski et al. further discloses boot clamps (160, 162).

**Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobylenski et al. (US 5,865,446) in view of Reig (US 6,648,347) as applied to claim 2 above, and further in view of Gang (US 7,195,259).**

Kobylenski et al. and Reig meet all the limitations of the claimed invention, but do not disclose directional casters. Gang discloses a board with front and rear plates (10, 20), a resilient connecting member (40), and directional casters (13, 23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the board disclosed by Kobylenski et al. and Reig with the casters taught by Gang, as Kobylenski et al. suggest using the board as a skateboard (see column 7, lines 36 – 44).

Kobylenski et al. further discloses inclined outward edges (Fig. 14).

### ***Conclusion***

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The prior art made of record, but not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katy Meyer whose telephone number is (571)272-5830. The examiner can normally be reached on Monday - Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on 571-272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher P Ellis/  
Supervisory Patent Examiner, Art  
Unit 3618

/K. M./  
Examiner, Art Unit 3618